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**COMBINED DECLARATION AND POWER OF ATTORNEY**

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)**

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for a national stage of PCT application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

METHOD AND APPARATUS FOR GENERATING A DATA STREAM AND METHOD AND APPARATUS FOR PLAYING A DATA STREAM

**SPECIFICATION IDENTIFICATION**

The specification was filed on August 16, 2001, as Serial No. 09/913,690.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

**PRIORITY CLAIM (35 U.S.C. Section 119(a)-(d))**

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Such applications have been filed as follows.

**PRIOR PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)**

INDICATE IF PCT	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 U.S.C. SECTION 119
PCT	PCT/EP99/09980	15 December 1999	yes

**PRIOR FOREIGN APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)**

COUNTRY	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 U.S.C. SECTION 119
Germany	19906432.6	16 February 1999	yes

**POWER OF ATTORNEY**

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

**Customer No. 24283**

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SEND CORRESPONDENCE TO:  
**Customer No. 24283**

DIRECT TELEPHONE CALLS TO:  
Carl A. Forest  
303-379-1114

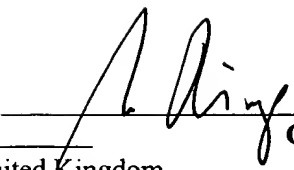
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**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Niels Rump

**Inventor's signature** 

**Date** 2002-03-19

**Country of Citizenship** Germany

**Residence** Kent United Kingdom

**Post Office Address** 16 Chatsworth Avenue, Bromley, Kent BR1 1DP United Kingdom

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:      Niels Rump, Juergen Koller, Karlheinz Brandenburg

For:    METHOD AND APPARATUS FOR GENERATING A DATA STREAM AND METHOD AND APPARATUS FOR PLAYING A DATA STREAM

The specification of which was filed on August 16, 2001, as Application No. 09/913,690

**STATEMENT OF FACTS IN SUPPORT OF FILING  
ON BEHALF OF NONSIGNING INVENTOR (37 C.F.R. SECTION 1.47)**

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above identified patent application before deposit thereof in the Patent and Trademark Office.

Because signing on behalf of the nonsigning inventor is by a person or entity showing a sufficient proprietary interest, this statement also recites facts as to why this action was necessary to preserve the rights of the parties or to prevent irreparable damage.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

**IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS**

Fritz Schoppe  
Schoppe, Zimmermann, Stöckeler & Zinkler  
Patentanwälte  
Irmgardstrasse 22  
München D-81479  
Germany

**EFFORTS DURING CONVENTION YEAR TO PREPARE APPLICATION AND  
OBTAIN INVENTOR'S SIGNATURE**

See attached sheet

**LAST KNOWN ADDRESS OF THE NONSIGNING INVENTOR**

Niels Rump  
Brueckenstrasse 13  
Erlagen D-91056  
Germany

**DETAILS OF EFFORTS TO REACH NONSIGNING INVENTOR**

See attached sheet

**DETAILS OF REFUSAL OF NONSIGNING INVENTOR  
TO SIGN APPLICATION PAPERS**

N/A

**PROOF OF NEED TO PREVENT IRREPARABLE DAMAGE  
OR PRESERVE THE RIGHTS OF THE PARTIES**

The National Phase filing date in the United States Patent Office of PCT Application PCT/EP99/09980 expired August 16, 2001. The application was filed with no signatures. The nonsigning inventor still cannot be found.

Date: September 24, 2001

  
\_\_\_\_\_  
Signature of person making statement

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/EP99/09980	15 December 1999 (15.12.99)	16 February 1999 (16.02.99)
International Application Number	International Filing Date	International Earliest Priority Date

U.S. Application Serial No.: 09/913,690

Filing Date: 16 Aug 2001

TITLE OF INVENTION: METHOD AND APPARATUS FOR GENERATING A DATA  
STREAM AND METHOD AND DEVICE FOR PLAYING A DATA  
STREAM

APPLICANT(S): Rump, Niels; Koller, Juergen and Brandenburg, Karlheinz

ATTACHMENT TO STATEMENT OF FACTS

Following are the details of the efforts to reach inventor Niels Rump:

1. A letter was mailed to Niels Rump at his last known address of Brückenstrasse 13, D-91056 Erlangen on June 27, 2001, which included a Combined Declaration And Power Of Attorney and Assignment Of Invention. A copy of the letter is attached. The package was returned by mail stating "Address Unknown". A copy the labeled envelope is also attached.
2. On July 2, 2001, a letter was mailed addressed to the family of Mr. Rump at the same address. This letter was returned by mail also stating "Address Unknown". Copies of the letter and the labeled envelope are attached.
3. A request has been submitted with the residence registration office in Erlangen in an attempt to locate Mr. Niels Rump. The request revealed nothing else as the last known address in Erlangen cited above.
4. Finally, a request was submitted with the telephone inquiry office which revealed that Mr. Niels Rump was not registered in Erlangen.

Practitioner's Docket No. 13189.136

## CHAPTER II

## IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/EP99/09977	15 December 1999 (15.12.99)	16 February 1999 (16.02.99)
International Application Number	International Filing Date	International Earliest Priority Date

U.S. Application Serial No.: 09/913,695

Filing Date: 16 Aug 2001

TITLE OF INVENTION: METHOD AND DEVICE FOR GENERATING AN ENCRYPTED  
USER DATA STREAM AND METHOD AND DEVICE FOR  
PLAYING BACK AN ENCRYPTED USER DATA STREAM

APPLICANT(S): Rump, Niels; Koller, Juergen and Brandenburg, Karlheinz


## SUPPLEMENT TO STATEMENT OF FACTS

Following are the details of the efforts to reach inventor Niels Rump:

1. A letter was mailed to Niels Rump at his last known address of Brückenstrasse 13, D-91056 Erlangen on June 27, 2001, which included a Combined Declaration And Power Of Attorney and Assignment Of Invention. A copy of the letter is attached. The package was returned by mail stating "Address Unknown". A copy the labeled envelope is also attached.
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4. Finally, a request was submitted with the telephone inquiry office which revealed that Mr. Niels Rump was not registered in Erlangen.

I hereby certify that I am the person who has firsthand knowledge of the details of this Statement Of Facts as required to meet the requirements of 37 CFR 1.47(a).

Date: March 20, 2002

  
Fritz Schoppe  
Attorney at Law  
Schoppe, Zimmermann, Stöckeler & Zinkler  
Patentanwälte  
Irmgardstrasse 22  
81479 München  
Germany

Doc. 5422

Herrn  
Niels Rump  
Brückenstr. 13  
  
D-91056 Erlangen

June 27, 2001

Your international patent application No. PCT/EP99/09977  
Regional phase 99964581.5 before the EPA  
Title: Method and Device for Generating a...  
FhG reference: 99/35054-IIS-A - Our reference: FH991204PEP

Dear Mr Rump,

On February 9, 2001, Mr Herre entrusted me in writing with the task of initiating the regional phase for the following countries:

***Germany, Austria, Switzerland/Liechtenstein, and the UK.***

With regard to the documents filed at the EPA for initiating the regional phase I would like to draw your attention to the fact that the same are based on the originally filed documents. It is merely formal changes that have been filed subsequently.

Please find enclosed a copy of the application for your own records.

Best regards,

[signature]  
Fritz Schoppe

Enc.  
Documents filed



Patentanwälte · Postfach 71 08 67 · 81458 München

Familie Rump  
Brückenstr. 13

D-91056 Erlangen

## Returned

Deutsche Post [German Post]	
<input type="checkbox"/>	Unknown
<input checked="" type="checkbox"/>	Address unknown
<input type="checkbox"/>	Address insufficient
<input type="checkbox"/>	Deceased
<input type="checkbox"/>	Company defunct
<input type="checkbox"/>	Refused
<input type="checkbox"/>	
District [date and signature]	

Patentanwälte · Postfach 71 08 67 · 81458 München

Herrn  
Niels Rump  
Brückenstr. 13  
  
D-91056 Erlangen

**Returned**

Deutsche Post [German Post]	
<input type="checkbox"/>	Unknown
<input checked="" type="checkbox"/>	Address unknown
<input type="checkbox"/>	Address insufficient
<input type="checkbox"/>	Deceased
<input type="checkbox"/>	Company defunct
<input type="checkbox"/>	Refused
<input type="checkbox"/>	
District [date and signature]	

Patentanwälte · Postfach 71 08 67 · 81458 München

Familie Rump [Rump family]  
Brückenstr. 13

D-91056 Erlangen

July 2, 2001

Our reference numbers: FH991204PUS and FH991204PEP/dg

Dear Mr and Mrs Rump,

Since the documents we sent to Mr Niels Rump have been returned to us, we would like to ask you to let us know his new address and/or telephone or fax number.

Thank you very much for your help.

Best regards

[signature]  
Fritz Schoppe